

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

CLARENCE W. BROOKS, )  
Petitioner, )  
-vs- ) Case No. CIV-14-44-F  
GARFIELD COUNTY JAIL, )  
Respondent. )

## ORDER

On January 16, 2014, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation (doc. no. 7), wherein he recommended that petitioner, Clarence W. Brooks's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed without prejudice. Magistrate Judge Purcell found that the petition should be dismissed without prejudice on the basis of the Younger<sup>1</sup> abstention doctrine. Magistrate Judge Purcell advised petitioner of his right to file an objection to the Report and Recommendation by February 5, 2014 and that failure to timely object would waive appellate review of the recommended ruling.

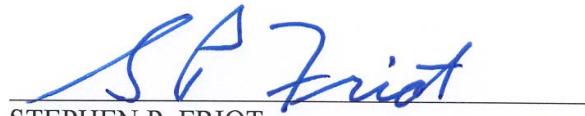
To date, petitioner has neither filed an objection to the Report and Recommendation nor requested an extension of time to file an objection. With no objection being filed within the time prescribed, the court accepts the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Gary M. Purcell on January 16, 2014 (doc. no. 7) is **ACCEPTED**.

<sup>1</sup> *Younger v. Harris*, 401 U.S. 37 (1971).

Petitioner, Clarence W. Brooks's Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody is **DISMISSED WITHOUT PREJUDICE**.

DATED February 21, 2014.



---

STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE

14-0044p001.wpd